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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 22 February 2007 from the Permanent Mission of Romania to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Romania to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and, with reference to paragraph 19 of that resolution, has the honour to submit the report of the Government of Romania on the steps taken by Romania with a view to implementing effectively the provisions of paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 of resolution 1737 (2006) (see annex).

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Annex to the note verbale dated 22 February 2007 from the Permanent Mission of Romania to the United Nations addressed to the Chairman of the Committee

Paragraph 19 of Security Council resolution 1737 (2006) calls upon all Member States of the United Nations to report to the Security Council within sixty days of the adoption of the resolution on the steps they have taken with a view to implementing effectively the provisions of the following paragraphs of resolution 1737 (2006): 3, 4, 5, 6, 7, 8, 10, 12 and 17.

Romania, as a member of the European Union (EU), has been participating in the preparations of legal instruments implementing the provisions of resolution 1737 (2006).

In its conclusions adopted on 22 January 2007, the Council of the European Union welcomed the measures in resolution 1737 and called on all countries to implement the measures in full and without delay. On 12 February 2007, the Council of the European Union politically endorsed a draft Common Position concerning restrictive measures against Iran. Preparations are under way to adopt without delay a Council Regulation. Further information will be provided to the Security Council once the Common Position and Regulation have been adopted.

After the adoption of the relevant EU Common Position and Regulation, all legal instruments will be automatically applied to the Romanian national legislation.

At the national level, according to the provisions of the Romanian legislation (Law No. 206/2005[1]), United Nations Security Council resolution 1737 (2006) was published in the *Romanian Official Journal No. 60 of 25 January 2007*, becoming thus legally binding for all the Romanian subjects.

However, the enforcement of the provisions of resolution 1737 (2006) by the Romanian institutions had been initiated on the date of its adoption.

Referring to the provisions of the aforementioned paragraphs of resolution 1737 (2006), the following measures have been taken:

(a) The authorized Romanian companies involved in foreign trade with military and dual-use goods were formally notified on the provisions of resolution 1737 (2006);

(b) A formal decision was taken aimed at denying direct or indirect supply, sale or transfer to Iran, through Romania's territory or by its nationals, or using its flag vessels or aircraft, and whether or not originating in its territory, of the items, materials, equipment, goods and technology, as set out in the lists in documents S/2006/814 and S/2006/815, which could contribute to Iran's enrichment-related, reprocessing, or heavy-water activities or to the development of nuclear weapon delivery systems, referred to in paragraph 3 of the resolution;[2]

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[1] Law 206/2005 regarding the implementation of international sanctions provides a legal mechanism for the implementation in the internal legal order of sanctions adopted by the Security Council on the basis of Chapter VII of the United Nations Charter and of the sanctions adopted by the European Union within the framework of the Common Foreign and Security Policy.

[2] Although Romania is not a member of the Missile Technology Control Regime (MTCR), its Guidelines are voluntarily implemented at national level since 1992.

(c) Several Romanian institutions have been conducting activities aimed at preventing any direct or indirect supply, sale or transfer to Iran by intermediate individuals or entities acting on Romanian territory, of items, materials, equipment, goods and technology, which could contribute to Iran's enrichment-related, reprocessing, or heavy-water activities or to the development of nuclear weapon delivery systems, envisaged by paragraph 4 of resolution 1737 (2006). ANCEX[3] organized two workshops focused on nuclear issues and nuclear-related activities: a round table dealing with: "The control of dual-use goods in the nuclear field at the EU level" and a meeting on "International trends and concerns on the export control of machine-tools";

(d) A mechanism was set up for the exchange of information between all competent Romanian authorities regarding the funds, other financial assets and economic resources to be used in nuclear weapons proliferation or ballistic missiles programmes. All competent Romanian institutions are duly informed and fully aware of their obligations;

(e) The Government of Romania has taken all necessary steps to implement the financial sanctions and the travel restrictions covered in paragraphs 10 and 12, to the individuals and entities listed in the annex to the resolution;

(f) The National Bank of Romania issued an internal order referring to the obligations for the credit/financial institutions pursuant to resolution 1737 (2006). Furthermore, the Romanian National Securities Commission, the autonomous administrative authority responsible for the regulation and the survey of financial markets, communicated to all its subjects the relevant information concerning resolution 1737 (2006), and undertook to prevent the issuance of any authorizations to the entities under its surveillance, which may be contrary to the provisions of resolution 1737 (2006);

(g) The institutions involved in the legal mechanism established by Law 206/2005 regarding the implementation of the international sanctions will meet on a regular basis in order to discuss the imposed measures and to maintain a continuous flow of information. Furthermore, under the provisions of Law 206/2005, the Romanian Ministry of Foreign Affairs shall constantly inform the competent Romanian authorities on any delay, violation or failure to implement the sanctions imposed by resolution 1737 (2006).

[3] The National Agency for Export Controls (ANCEX) was established in 1992 and is responsible for the enforcement of Government policy on export control of military and dual-use goods and technologies. Since 2001, ANCEX is subordinated to the Romanian Ministry of Foreign Affairs.